

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

05-CR-6011L

v.

LORAL HUFFMAN,

Defendant.

After several court-approved extensions, defendant filed motions on October 5, 2007 (Dkt. # 69) seeking dismissal of the indictment and suppression of statements. The Court met with counsel on October 15, 2007 and established the following schedule for resolving the motions and proceeding to trial:

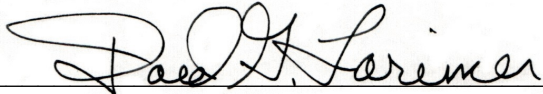
1. The Government must respond to the pending motions on or before January 25, 2008. Although this time is more extensive than is often the case, defendant is presently serving a state sentence and is not scheduled for release for several years. In addition, both the prosecutor and defense counsel started a two to three month trial starting October 16, 2007 in federal court in Buffalo, New York. Therefore, it will be very difficult, if not impossible, to get either the prosecutor or assigned defense counsel to proceed with argument and hearings in this matter.

It is in the interest of justice that defense counsel have sufficient time to prepare for any motions to be argued in this case and, in order to keep continuity of counsel, I will exclude the time from October 15, 2007 until January 25, 2008, in the interest of justice under 18 U.S.C. § 3161(h)(8). I find that this modest adjournment outweighs any interest Mr. Huffman or the public has in a more prompt proceeding.

2. Argument and hearings on the motions are adjourned without date and will be scheduled once Mr. Harrington's present criminal trial is concluded in federal court.

3. The Court schedules this case for a jury trial commencing May 12, 2008; a pretrial conference will be scheduled at a later date.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
October 18, 2007.